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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/711,226 | 09/02/2004 | Burton G. Goldstein | 1372.189.PRC |

21901
SMITH & HOPEN PA
15950 BAY VISTA DRIVE
SUITE 220
CLEARWATER, FL 33760



CONFIRMATION NO. 5225
FORMALITIES LETTER



OC000000013996358

Date Mailed: 10/04/2004

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

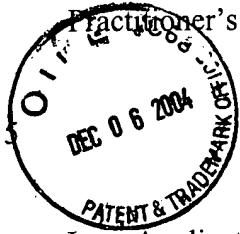
- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
 - The line spacing on the specification, claims, or abstract is not 1½ or double spaced (see 37 CFR 1.52(b)).

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Bleuche

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE



Practitioner's Docket No.: 1372.189.PRC

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Burton G. Goldstein)
Serial No.: 10/711,226) Art Unit: 3763
Filed: 09/02/2004) Examiner: Unassigned
For: TOOL FOR REMOVING) Confirmation No.: 5225
INTRAOCCULAR FOREIGN
BODIES

Commissioner for Patents

10 P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION

15 (filed under 37 C.F.R. § 1.53(b))

In response to the Notice to File Missing Parts of Nonprovisional Application mailed **October 4, 2004**, having a shortened statutory period for response set to expire **December 6, 2004**, applicant responds as follows:

20

ITEMS REQUIRED TO AVOID ABANDONMENT

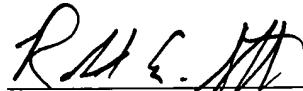
25 Applicant has submitted specification via electronic filing. The line spacing of the specification is dictated according to the software provided to the applicant by the Office. Applicant therefor cannot stipulate the distance between lines on the specification, claims, or abstract.

CONCLUSION

30 It is believed that the above response is completely responsive to the Notice to File Missing Parts of Nonprovisional Application mailed **October 4, 2004**.

Very respectfully,

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Ronald E. Smith
Registration No. 28,761

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Smith & Hopen, P.A.
15950 Bay Vista Drive
Suite 220

15 Clearwater, FL 33760

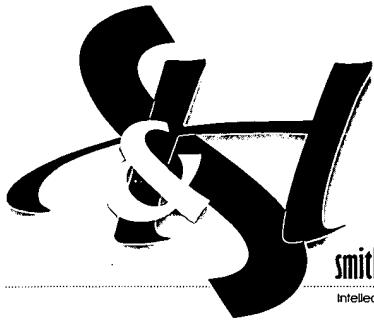
Our Ref.: 1372.189.PRC

20 **CERTIFICATE OF MAILING**
(37 C.F.R. § 1.8)

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee," mailing Label No. 25 EV505918354US, addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 6, 2004.



Charlene Morgan



smith & hopen, p.a.

Intellectual Property Law Patents Trademarks Copyrights

December 6, 2004

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant: Burton G. Goldstein
Serial No.: 10/711,226
Filed: 09/02/2004
For: Tool for Removing Intraocular Foreign Bodies
Our Reference No.: 1372.189.PRC

Art Unit : 3763
Examiner: Unassigned
Confirmation No.: 5225

Dear Sir:

Enclosed please find the following:

1. Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b) – (2 pages);
2. Response to Notice to File Missing Parts of Nonprovisional Application – (2 pages); and
3. Self-addressed and postage pre-paid post card to serve as a receipt for items 1 & 2.

Very respectfully,

SMITH & HOPEN

By: Ronald E. Smith
ron.smith@smithhopen.com

RES/cm
Encl.

CERTIFICATE OF MAILING
(37 C.F.R. 1.8)

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee," mailing Label No. EV505918354US, addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 6, 2004.

Date: December 6, 2004

Charlene Morgan